

- - REMARKS - -

Applicants thank the Examiner for considering the previously filed Information Disclosure Statement.

A. Claims 1-9, 15, 16-21, and 26-34 were rejected under §102(e) as anticipated by Odinak

The §102(e) rejection of claims 1-9, 15, 16-21, and 26-34 is traversed.

In order to maintain this rejection, each and every element of the claims must be disclosed in as great detail as claimed. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Claims 1-9

At a minimum, Odinak does not disclose a remote communications device that is non-enabled with a telematics functionality module and enabling the remote communications device with the telematics functionality module, as claimed in claim 1. At most, Odinak discloses sharing account information between a personal mobile phone and an in-vehicle embedded phone such that account information *from* the personal mobile phone is *transferred to* the in-vehicle embedded phone. Specifically, Odinak teaches receiving the mobile subscriber identification number (i.e. MIN) from the personal mobile phone at the in-vehicle embedded phone (abstract), and using that received mobile subscriber identification number to communicate with a wireless communication network.

Further specifically, Odinak does not teach or disclose that the remote communications device is non-enabled with a telematics functionality module, and then enabled with the telematics functionality module. At most, Odinak teaches a personal mobile phone, but not that the phone is or is not enabled with a telematics functionality module. Anticipation requires that the reference disclose each claim limitation, in as great detail as claimed.

Additionally, Odinak does not disclose enabling the remote communications device with a telematics functionality module. At most, Odinak teaches enabling the in-vehicle embedded phone with a personal mobile phone MIN.

Odinak does not disclose enabling a remote communications device with any of the elements of claim 2, including vehicle specific application, personal telematics application, routing guidance application, security application, hands-free application, noise cancellation application, air bag system or emergency notification applications. At most, Odinak discloses transferring a mobile subscriber identification number from a personal mobile phone to an embedded phone.

Similarly, Odinak does not disclose rewriting at least a portion of the memory of the remote communications device to include the telematics functionality module as claimed in claim 9. Again, at most, Odinak discloses transferring a mobile subscriber identification number from a personal mobile phone to an embedded phone.

Therefore, at a minimum, claim 1 is not anticipated by Odinak, nor are claims 2-9 depending therefrom.

Claims 15 and 16-21

Additionally, Odinak does not disclose communicatively coupling a non-telematics enabled remote communications device to the docking apparatus and operating to transform the non-telematics enabled remote communications device into a telematics enabled remote communications device, as claimed in claim 15.

At most, Odinak discloses sharing account information between a personal mobile phone and an in-vehicle embedded phone such that account information from the personal mobile phone is transferred to in-vehicle embedded phone. Specifically, Odinak teaches receiving the MIN from the personal mobile phone at the in-vehicle embedded phone (abstract), and using that received MIN to communicate with a wireless communication network.

Further specifically, Odinak does not teach or disclose that the remote communications device is non-enabled with a telematics functionality module, and then

enabled with the telematics functionality module. At most, Odinak teaches a personal mobile phone, but not that the phone is or is not enabled with a telematics functionality module.

Additionally, Odinak does not disclose enabling the remote communications device with a telematics functionality module. At most, Odinak teaches enabling the in-vehicle embedded phone with a personal mobile phone MIN.

Similarly, Odinak does not disclose rewriting at least a portion of the memory of the remote communications device to include the telematics functionality module as claimed in claim 21. Again, at most, Odinak discloses transferring a mobile subscriber identification number from a personal mobile phone to an embedded phone

Therefore, at a minimum, claim 15 is not anticipated by Odinak, nor are claims 16-21 depending therefrom.

Claims 26-34

Odinak does not disclose a remote communications device that is non-enabled with the telematics functionality module and enabling the remote communications device with the telematics functionality module, as claimed in claim 26.

At most, Odinak discloses sharing account information between a personal mobile phone and an in-vehicle embedded phone such that account information from the personal mobile phone is transferred to in-vehicle embedded phone. Specifically, Odinak teaches receiving the MIN from the personal mobile phone at the in-vehicle embedded phone (abstract), and using that received MIN to communicate with a wireless communication network.

Further specifically, Odinak does not teach or disclose that the remote communications device is non-enabled with a telematics functionality module, and then enabled with the telematics functionality module. At most, Odinak teaches a personal mobile phone, but not that the phone is or is not enabled with a telematics functionality module.

Additionally, Odinak does not disclose enabling the remote communications device with a telematics functionality module. At most, Odinak teaches enabling the in-vehicle embedded phone with a personal mobile phone MIN.

Odinak does not disclose enabling a remote communications device with any of the elements of claim 27, including vehicle specific application, personal telematics application, routing guidance application, security application, hands-free application, noise cancellation application, air bag system or emergency notification applications. At most, Odinak discloses transferring a mobile subscriber identification number from a personal mobile phone to an embedded phone.

Similarly, Odinak does not disclose rewriting at least a portion of the memory of the remote communications device to include the telematics functionality module as claimed in claim 34. Again, at most, Odinak discloses transferring a mobile subscriber identification number from a personal mobile phone to an embedded phone

Therefore, claim 26 is patentable over Odinak, as are claims 27-34 depending therefrom.

Withdrawal of the rejections to claims 1-9, 15, 16-21, and 26-34 is requested.

B. Claims 10-14, 22-25, and 35-39 were rejected as unpatentable over Odinak in view of MacFarlane

The §103(a) rejection of claims 10-14, 22-25, and 35-39 is traversed. Each of these claims depend from an allowable claim, and are therefore patentable for at least the same reasons as noted above.

Withdrawal of the rejections to claims 10-14, 22-25, and 35-39 is requested.

SUMMARY

The Examiner's rejections of claims 1-39 have been obviated by remarks herein supporting an allowance of pending claims 1-39 over the prior art. The Applicants respectfully submits that claims 1-39 herein fully satisfy the requirements of 35 U.S.C. §§ 102, 103 and 112. In view of the foregoing, favorable consideration and passage to issue of the present application is respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

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Respectfully submitted,
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